

05-31-07

IFCN



PATENT APPLICATION

CERTIFICATE OF MAILING/FACSIMILE TRANSMISSION/EFS-WEB (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is (XXX) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box. 1450, Alexandria, Virginia 22313-1450, or () being transmitted by facsimile to the U.S. Patent and Trademark Office. (Fax No. 571 273 8300) (_____ pages), the facsimile is being sent from (908) 429-3650, or () being submitted via EFS-Web under Private PAIR .

Maria T. Sanchez
(Print Name)

Date: May 29 2007

Maria T. Sanchez
(Signature)

Docket No. 2002DE422

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Uwe FALK et al.

Art Unit: 1761

Serial No. 10/518,315, filed December 16, 2004

Examiner: CANO, MILTON I

For: **USE OF COLLOIDAL ANIONIC SILICA SOLS AS CLARIFYING AGENTS**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR
§1.97(b)

May 29, 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Serial No. 10/518,315
Filed December 16, 2004

Dear Sir:

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ Form PTO-1449.

1b. ☒ The following documents are enclosed:

Notification of Transmittal of the International Search Report or the Declaration (Form PCT/ISA/220), and International Search Report (Form PCT/ISA/210), in PCT Application No. PCT/IB02/00038 corresponding to co-pending application Serial No. 10/451,931

Notification of Transmittal of the International Preliminary Examination Report (Form PCT/IB/416), and International Preliminary Examination Report (PCT/IB/409), in PCT Application No. PCT/IB02/00038 corresponding to co-pending application Serial No. 10/451,931

Restriction Requirement date mailed March 30, 2006 issued by United States Patent and Trademark Office in co-pending application Serial No. 10/451,931

Non-final Office Action date mailed July 19, 2006 issued by United States Patent and Trademark Office in co-pending application Serial No. 10/451,931

Final Office Action date mailed December 1, 2006 issued by United States Patent and Trademark Office in co-pending application Serial No. 10/451,931

Advisory Action date mailed March 9, 2007 issued by United States Patent and Trademark Office in co-pending application Serial No. 10/451,931

Serial No. 10/518,315
Filed December 16, 2004

EP 0 878 838 B1
DE 197 07 332 C1
JP 59-34881 A
ES 8506079

English language abstract of DE 197 07 332 C1
English language abstract of JP 59-34881 A
English language abstract of ES 8506079
Ph.D. Thesis of Alexander Thomas Schnick, as well as English
language abstract thereof

- 1c. ☒ An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.

Notification of Transmittal of the International Search Report or the Declaration (Form PCT/ISA/220), and International Search Report (Form PCT/ISA/210), in PCT Application No. PCT/IB02/00038 corresponding to co-pending application Serial No. 10/451,931

Notification of Transmittal of the International Preliminary Examination Report (Form PCT/IB/416), and International Preliminary Examination Report (PCT/IB/409), in PCT Application No. PCT/IB02/00038 corresponding to co-pending application Serial No. 10/451,931

- 1d. ☒ English language translation (complete or relevant portion(s)) of each non-English language publication.

- 1e. ☐ Explanations of Relevancy of References (ATTACHMENT 1(d), hereto) for providing a concise explanation of each non-English publication.

- 1f. ☐ List of related applications:

- 1g. ☐ EPO Search Report

2. ☒ This Information Disclosure Statement is filed under 37 CFR §1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or §1.97(e) Statement is required.

3. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(c) after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance.

3a. ☐ The §1.97(e) Statement in Item 5 below is applicable. Accordingly, no fee is required.

3b. ☐ The \$180.00 fee set forth in 37 CFR §1.17(p) in accordance with 37 CFR §1.97(c) is to be charged to Deposit Account No. 50-3309.

4. ☐ This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the Final Office Action or the Notice of Allowance, but before payment of the Issue Fee.

☐ The §1.97(e) Statement (Item 5 below) is applicable.

A Petition to the Commissioner is hereby made under 37 CFR §1.97(d) to request consideration of this Information Disclosure Statement. The \$180.00 fee set forth in 37 CFR §1.17(i) is to be charged to Deposit Account No. 50-3309.

5. ☐ Statement Under §1.97(e) (*applicable if Item 3a or Item 4 is checked*)

5a. ☐ In accordance with 37 CFR §1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

5b. ☐ In accordance with 37 CFR §1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR §1.153(b). (*Check appropriate Items 6a and/or 6b.*)

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Filed December 16, 2004

- 6a. ☐ Copies of the publications listed on Form PTO-1449 from prior Application Serial No. / , filed on , of which this application claims priority under 35 USC §120 have been omitted pursuant to 37 CFR §1.98(d).
- 6b. ☐ Copies of the publications listed on Form PTO-1449 which were not previously cited in prior Application Serial No. / , filed on , of which this application claims priority under 35 USC §120, are provided herewith.
- 6c. ☐ Copies of the following publications listed on Form PTO-1449 are not provided herewith as they were previously submitted either through an earlier Information Disclosure Statement or were cited on the International Search Report:
7. ☐ This is a continuation/divisional application under 37 CFR §1.53(d). *(Check either Item 7a or 7b.)*
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from Issue under 37 CFR §1.313(b)(5) has been granted. A continuation application under 37 CFR §1.53(d) after payment of the Issue Fee is proper in accordance with 37 CFR §1.53(d)(1)(ii).
8. ☐ This is a Supplemental Information Disclosure Statement. *(Check either Item 8a or 8b.)*
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 CFR §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on .
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR §1.97(i), mailed . (MPEP 609, Form ¶ 6.51, July 1997.)

9. ☒ In accordance with 37 CFR §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication listed is:

(Check appropriate Items 9a, 9b, 9c, 9d, and/or 9e)

- 9a. ☒ satisfied because all non-English language publications were cited on the English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office, which was submitted with applicants' application papers and the receipt of which was acknowledged on the Rule 495 Notice of Acceptance, mailed 08/08/2005. (See U.S. Patent and Trademark Office's authorization in the Federal Register, Vol. 57, No. 12, January 17, 1992, at page 2031 (Reply to Comment 68)).
- 9b. ☒ Other information:
- 9c. ☒ satisfied because an English language translation (complete or relevant portion(s)) is attached to each non-English language publication.
- 9d. ☒ the following equivalent English language publication is enclosed (or identified as a US patent):
- EP 0 878 838 A is equivalent to U.S. Patent No. 6,126,518
English language abstract of DE 19707332 C1
English language abstract of JP 59-34881 A1
English language abstract of ES 8506079
English language abstract of Ph.D. Thesis of Alexander Thomas Schnick
- 9e. ☐ abstracts in the English language were previously submitted with Applicants' Information Disclosure Statement dated.

10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§1.97(g) and (h).

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Filed December 16, 2004

11. ☒ The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR §1.17 for this Information Disclosure Statement and/or Petition to Deposit Account No. 50-3309.

Respectfully submitted,



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Customer No. 26,289



CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8) Applicant(s): Uwe FALK et al.	Docket No. 2002DE422
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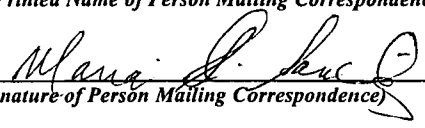
Serial No. 10/518,315	Filing Date December 16, 2004	Examiner CANO, Milton I.	Group Art Unit 1761
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Invention: **USE OF COLLOIDAL ANIONIC SILICA SOLS AS CLARIFYING AGENTS**

I hereby certify that this **Information Disclosure Citation - 2 Pages**
(Identify type of correspondence)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The
Commissioner of Patents and Trademarks, Washington, D.C. 20231-0001 on **May 29, 2007**
(Date)

MARIA T. SANCHEZ
(Typed or Printed Name of Person Mailing Correspondence)

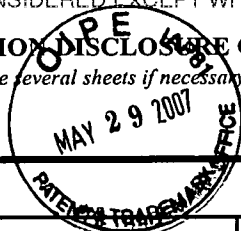

(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH.

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



Docket Number (Optional)

JC/

2002DE422

Application Number

10/518,315

Applicant(s)

Uwe FALK et al.

Filing Date

December 16, 2004

Group Art Unit

1761

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		2,680,721	6/8/1954	Broge et al.			
		3,922,393	11/25/1975	Sears			
		5,196,177	3/23/1993	Watanabe et al.			
		5,221,497	6/22/1993	Watanabe et al.			
		5,827,508	10/27/1998	Tanner et al.			
		6,083,997	7/4/2000	Begala et al.			
		6,126,518	10/3/2000	Jacquinot et al.			

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		EP 0 878 838 B1	3/16/2005	EUROPE				
		DE 197 07 332 C1	1/29/1998	GERMANY				
		JP 59-34881 A	2/25/1984	JAPAN				
		ES 8506079	10/16/1985	SPAIN				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		English language abstract of DE 197 07 332 C1
		English language abstract of JP 59-34881 A

EXAMINER

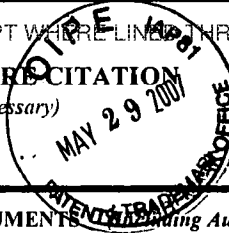
/Jyoti Chawla/

DATE CONSIDERED

01/05/2009

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		Docket Number (Optional) /JC/ 2002DE422	Application Number 10/518,315
		Applicant(s) Uwe FALK et al.	
		Filing Date Decembre 16, 2004	Group Art Unit 1761



*EXAMINER INITIAL	OTHER DOCUMENTS	(Pending Author, Title, Date, Pertinent Pages, Etc.)
		English language abstract of ES 8506079
		Ph.D. Thesis of Alexander Thomas Schnick, as well as English language abstract thereof
		Notification of Transmittal of the International Search Report or the Declaration (Form PCT/ISA/220), and International Search Report (Form PCT/ISA/210), in PCT Application No. PCT/IB02/00038 corresponding to co-pending application Serial No. 10/451,931
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		Advisory Action date mailed March 9, 2007 issued by United States Patent and Trademark Office in co-pending application Serial No. 10/451,931

EXAMINER /Jyoti Chawla/	DATE CONSIDERED 01/05/2009
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